IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

| ZOAN BAPTIST CHURCH, a |) | |
|--------------------------------------|---|------------------------------------|
| Virginia not-for-profit corporation, |) | CASE NO. 3:17-CV-475-JAG |
| |) | |
| Plaintiff, |) | |
| |) | Honorable Judge John A. Gibney, Jr |
| |) | |
| SPOTSYLVANIA COUNTY, a |) | Magistrate Jude David J. Novak |
| Virginia municipal corporation, |) | |
| |) | |
| Defendant. |) | |
| | | |

STIPULATION TO DISMISS WITH PREJUDICE

The Plaintiff Zoan Baptist Church, by and through its attorneys, the Thomas More Society, Mauck & Baker, LLC., and Singer Davis, LLC, and the Defendant, Spotsylvania County, hereby stipulate to the dismissal of this action with prejudice, each party to bear its own costs and attorneys' fees. Pursuant to *Kokkonen v. Guardian Life Insurance Co. of America*, 511 U.S. 375 (1994), the Court, through Magistrate Judge Novak, shall retain jurisdiction to enforce the terms of the "Memorandum of Understanding Regarding Settlement Agreement" executed on July 20, 2017, and any arbitration award resulting from the Agreement's paragraph 9.

Nothing in this Stipulation of Dismissal with Prejudice shall be construed as an admission or concession of liability or wrongdoing whatsoever by either party regarding any of the allegations made by the plaintiff in the Complaint.

This Stipulation of Dismissal with Prejudice and any Order entered thereon shall have no precedential value or effect whatsoever and shall not be admissible in any other

action or proceeding as evidence or for any other purpose except in an action or proceeding to enforce this Stipulation of Dismissal with Prejudice or the "Memorandum of Understanding Regarding Settlement Agreement" executed on July 20, 2017.

PLAINTIFF:

ZOAN BAPTIST CHURCH, a Virginia church and not-for-profit corporation.

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By: /s/ John W. Mauck Date: 07/31/2017

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DEFENDANT:

SPOTSYLVANIA COUNTY, a Virginia municipal corporation.

By: /s/Susan E. Cooke _____ Date: 07/31/17

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